



QUESTIONS FOR HUMAN RIGHTS REFEREE NOMINEE

By: James Orlando, Senior Legislative Attorney

HUMAN RIGHTS REFEREES (CGS § 46A-57)

- There are three human rights referees.
- They are appointed by the governor, with the advice and consent of both houses of the General Assembly, to serve three-year terms.
- They conduct settlement negotiations and hearings on discrimination complaints filed with the Commission on Human Rights and Opportunities (CHRO). CHRO enforces discrimination laws in areas such as employment, housing, public accommodations, credit practices, and state services and programs.
- At hearings, human rights referees may subpoena witnesses and compel their attendance, administer oaths, take testimony under oath, require the production for examination of any books and papers relating to any matter under investigation or in question, and determine a reasonable fee to be paid to expert witnesses.

QUESTIONS FOR THE NOMINEE

1. What background do you have in civil rights or related areas that make you qualified to become a human rights referee?
2. How will your experience as a legislator inform your role as a referee?
3. What types of remedies are available to victims of discrimination? How should a referee determine and calculate damages?
4. How much control, influence, or authority should CHRO have over referees?
5. What recommendations would you propose to make the enforcement of civil rights laws more effective and efficient?

6. The state Supreme Court recently ruled that an employee could proceed with a claim based on alleged discrimination due to the employer's perception that the employee has a physical disability, even if the employee does not have a disability (*Desrosiers v. Diageo North America, Inc.*, 314 Conn. 773 (2014)). Do you foresee many similar cases arising on this basis?
7. Is there tension between affirmative action and the laws prohibiting discrimination? If so, how is this tension reconciled?
8. What do you think about expanding the classes of people protected under Connecticut's anti-discrimination laws? Do you have any suggestions?

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